

BOARD OF PUBLIC WORKS AND SAFETY
Agenda Request Form

(Form B-01-2012)

Organizations and individuals are asked to submit a request form and supporting documents to be placed on the agenda. You will be contacted by the City confirming the date of the meeting in which your request will be heard.

Please make sure that your contact information is accurate in case we need to get in touch with you. The Board of Works meets on the 1st and 3rd Monday of each month at 5:00 p.m. in City Hall located at 70 E. Monroe Street.

Date Submitted:	1/26/2016	Requested Meeting Date:	02/01/2016		
		Confirmed Meeting Date:			
Received by:					
Contact Information: Please provide all requested information in the fields below. (Print or Type)					
On Behalf of Organization or Individual:		City of Franklin			
Name:	Lynnette Gray	Telephone:	(317) 738-3365		
Title or Position:	City Attorney				
E-Mail:	lynng@jgmlawfirm.com				
Address:	63 E. Court St.				
City:	Franklin	State:	IN	ZIP:	46131
Who will attend the meeting and present the request?					
Name:	Lynnette Gray	Telephone:	(317) 738-3365		
Title or Position:	City Attorney – Insurance Representative				
E-Mail:	lynng@jgmlawfirm.com				
Please describe the purpose or title of your presentation.					
To request approval of Resolution No. 2016-01 accepting assignments of three (3) 2014 tax sale certificates from Johnson County, Indiana;					
Supporting documents: All supporting documents should be submitted with the request form.					
1. Resolution 2016-01-A Resolution accepting Assignments of Three (3) 2014 Tax Sale Certificates from Johnson County, Indiana pursuant to Indiana Code § 6-1.1-24-9 and § 36-1-11-8					

Resolution of the City of Franklin Board of Works

Resolution No.: 2016-01

**A RESOLUTION ACCEPTING ASSIGNMENTS OF THREE (3) 2014 TAX SALE CERTIFICATES FROM
JOHNSON COUNTY, INDIANA PURSUANT TO
INDIANA CODE § 6-1.1-24-9 AND § 36-1-11-8**

WHEREAS, the City of Franklin by and through its Board of Works (hereinafter referred to as "City") is a government organization providing services to the citizens of Franklin, Indiana; and

WHEREAS, the Johnson County Treasurer conducted and completed its 2014 tax sale pursuant to Indiana Code 6-1.1-24 on September 12, 2014;

WHEREAS, the following real estate in Johnson County, Indiana was offered for sale in the 2014 tax sale, and an amount was not received equal to or in excess of the minimum sale price prescribed by IC. 6-1.1-24-5(e) and (f):

Key Number /Property ID #: Brief Legal Description:	41-08-14-033-041.000-009
StreetAddress or other common description:	KING'S 4TH ADD W FRANKLIN LOT 6
(hereinafter referred to as "Parcel One")	544 W. Jefferson, Franklin, Indiana
Tax Sale Certificate No.:	411400103

Key Number /Property ID #: Brief Legal Description:	41-08-14-033-049.000-009
StreetAddress or other common description:	KING'S ADD PT LOT 16 W ½
(hereinafter referred to as "Parcel Two")	420 W. Jefferson Street, Franklin, IN
Tax Sale Certificate No.:	411400104

Key Number /Property ID #: Brief Legal Description:	41-08-14-012-025.000-009
StreetAddress or other common description:	WILSONS ADD PT LOT 6
(hereinafter referred to as "Parcel Three")	934 Johnson Avenue, Franklin, IN
Tax Sale Certificate No.:	411400082

WHEREAS, pursuant to I. C. 6-1.1-24-6(a), the Johnson County Board of Commissioners ("County") acquired a lien in the amount of the minimum sale price with respect to Parcel One, Parcel Two, and Parcel Three;

WHEREAS, the Johnson County Auditor has issued tax sale certificates to the County for Parcel One, Parcel Two and Parcel Three, pursuant to I.C. 6-1.1-24-6(b) and 6-1.1-24-9;

WHEREAS, pursuant to I. C. 6-1.1-24-6(b), when the County acquires a certificate under I. C. 6-1.1-24-6(b), the County has the same rights as a purchaser;

WHEREAS, pursuant to I. C. 6-1.1-24-6(b), when the County acquired its lien on Parcel One, Parcel Two and Parcel Three under I.C. 6-1.1-24-6, no money was paid by the County;

WHEREAS, I.C. 6-1.1-24-9(d) authorizes the County to assign a certificate of sale held in the name of the County to any political subdivision during the life of the tax sale certificate;

WHEREAS, Parcel One, Parcel Two and Parcel Three are located in the City of Franklin, Indiana;

WHEREAS, the County and the City of Franklin, Indiana by and through its Board of Public Works and Safety ("City") have determined that it would be in the best interests of Johnson County and the City if the tax sale certificates for Parcel One, Parcel Two and Parcel Three were assigned from the County to the City, Indiana pursuant to I.C. 6-1.1-24-9(d);

WHEREAS, the County and the City had previously agreed through simultaneous and substantially similar resolutions, (County Resolution 2014-09 and City Resolution 2015-01), to assign the above identified tax sale certificates to the City, however the City did not take all steps prior to obtain title in the name of the City nor did it seek issuance of a tax deed from the Auditor of Johnson County; and accordingly the certificates transferred back to the County;

WHEREAS, title to the above described properties continues to remain in the name of the County;

WHEREAS, the County and the City of Franklin, Indiana by and through its Board of Public Works and Safety ("City") have determined that it would be in the best interests of Johnson County and the City if the tax sale certificates for the parcels were assigned from the County to the City, pursuant to Indiana Code 6-1-1.1-24-9(d);

WHEREAS, the County and the City agree that no money shall be paid by the City for the assignment of the tax sale certificates for the parcels to the City;

WHEREAS, the City desires to accept assignment of the tax sale certificates held by the County for Parcel One, Parcel Two and Parcel Three;

WHEREAS, the City has agreed that after the tax sale certificates are assigned to the City pursuant to the terms of this resolution, the City, through its lawfully authorized representatives, will give statutory notices, and, if not redeemed, perform all steps required by Indiana statutes to obtain title in the name of the City to Parcel One, Parcel Two and Parcel Three; through the issuance of a tax deed from the Auditor of Johnson County;

WHEREAS, I.C. 36-1-11-8 authorizes the transfer of property between governmental entities upon terms and conditions agreed upon by the entities as evidenced by the adoption of a substantially identical resolution by each entity;

WHEREAS, the County adopted its substantially identical resolution to authorize the assignment of the tax sale certificates for Parcel One, Parcel Two and Parcel Three in the name of the County to the City on the 25th day of January, 2016;

WHEREAS, the City by adopting this substantially identical resolution is authorized to accept the assignment of the tax sale certificates for Parcel One, Parcel Two and Parcel Three;

BE IT THEREFORE RESOLVED the City of Franklin does hereby adopt the above aforementioned as findings of fact;

IT IS FURTHER RESOLVED that following the County and City's adoption of substantially identical resolutions to authorize the assignment of the tax sale certificates for Parcel One, Parcel Two and Parcel Three held in the name of the County to the City of Franklin, Indiana, the

County will assign the tax sale certificates for Parcel One, Parcel Two and Parcel Three to the City pursuant to I.C. 6-1.1-24-9(c) and (d).

IT IS FURTHER RESOLVED, that no money shall be paid by the City for the assignment of the tax sale certificates of Parcel One, Parcel Two and Parcel Three to the City;

IT IS FURTHER RESOLVED that following the assignment of the tax sale certificates, the City will give notices and take all steps necessary to obtain title to Parcel One, Parcel Two and Parcel Three. If Parcel One, Parcel Two and Parcel Three are not redeemed, the City, through its authorized representatives will follow and comply with the required statutory procedures for the issuance of a tax title deed for Parcel One, Parcel Two and Parcel Three from the Johnson County Auditor to the City, a City incorporated with the State of Indiana, pursuant to I.C.6-1.1-25-1 et seq.

IT IS FURTHER RESOLVED this Resolution shall be in full force and effect from and after its passage and as provided for by applicable law.

INTRODUCED & APPROVED by the Board of Public Works and Safety of the City of Franklin, Johnson County, Indiana this _____ day of February, 2016.

City of Franklin, Indiana, By its Board of Public Works and Safety

Voting Affirmative:

Voting Opposed:

Mayor Joseph E. McGuinness

Mayor Joseph E. McGuinness

Steve Barnett

Steve Barnett

Robert Swinehamer

Robert Swinehamer

Attest:

Jayne Rhoades, Clerk Treasurer

Prepared by: Lynnette Gray
Attorney No.: 11567-41